

Congress of the United States

Washington, DC 20515

September 26, 2002

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

We are writing to express our deep concern with the Administration's advance notice of proposed rulemaking which appeared in the Federal Register on July 2, 2002 with regard to potential changes to existing federal consistency regulations adopted pursuant to section 307 of the Coastal Zone Management Act (CZMA).

It appears that the advance notice of proposed rulemaking would open the door to allow potentially harmful changes to be made to the existing federal consistency review regulations – regulations which were revised less than two years ago at the culmination of five years of deliberate and active consultation with the coastal States and other stakeholders, including industry. Any proposal that might limit the types of Federal activities that trigger a State's consistency review, or any proposal that might severely constrain the abilities of coastal States to protect their coastal resources, would appear unwarranted, unnecessary and publicly unacceptable. Rather than refinement, such a rulemaking would serve only to endanger the very successful foundation of the CZMA Federal-State partnership that has ensured the protection of coastal resources and communities for nearly 30 years.

As you know, the CZMA was passed in 1972 to effectively manage the competing uses of natural resources within the Nation's coastal zone. The Act has been instrumental in assisting coastal States and the Federal Government find solutions to extremely challenging issues, including wetland and coastal preservation, commercial development, urban growth, port expansion, fisheries management, water quality protection, energy exploration and development, public access and recreation, and marine resource preservation.

Central to the effectiveness of the CZMA is the Act's "consistency review" process. Federal consistency grants to coastal states with Federally-approved coastal management programs (CMPs) the authority to evaluate all federal activities, development projects, permits and licenses that may affect a State's coastal zone to ensure that such activities are consistent to the maximum extent practicable with state coastal zone management plans and policies. In creating this authority, Congress recognized that Federal interests and activities need to be balanced with the environmental and economic interests of coastal States. In addition, Congress recognized that unless federal agency actions were consistent with state coastal zone management plans, the over-arching national interest of the CZMA would be subverted.

Therefore, we respectfully request that you withdraw this ill-advised advance notice of proposed rulemaking and urge your administration instead to focus on working collaboratively with the Congress, coastal states and other stakeholders to reauthorize the CZMA before the 107th Congress adjourns.

We look forward to your response.

Sincerely,

Lisa Coppa

Wileen Thompson

Alpine Waters

George Miller

Frank Pallone Jr.

Tom Allen

John F. Tierney

Sam Fain

Arch Rahall

J. Saxton

Louise M. Slaughter

Frank A. Lautenberg

Bob Alford

Jim Cooper

Jane Harman

Mike Horst

Hyd Dwyer

Donald Mayne

Je Ann

Brad Sherman

Oak E Under

Ben Carch

Pete Stark

Barbara Lee

Tom Lantos

Loen T. Dink

Hilda L. Johns

Shanna M. Chut

Edward J. Markey

Lynn Woolsey

Nancy Belton

Howard J. Berma

Shane E. Watson

Susan A. Davis

Henry G. Waxman

Anna E. Shoo

Amber

Robert E. And

Grace F. Hapstano

Lucille Roybel-Allard

Joe

Josephine Sauty

Bob Filner

John P. Hyl

Mary L. Ackerman

Carl Blum

Chaff Shays

Robert J. Matsen

Carrie P. Mack

Neil O. O'Brien

Mark M. Maltz

Ellen Smith

Jim Langen

Jon M. Brown

Ellen D. Tanscher

Patrick J. Kennedy

Chaim B. Berman

Ray P. Hall

[Signature]

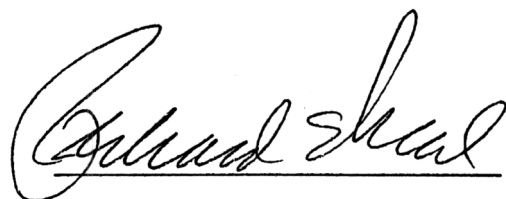
Stephen Horn

James H. H. H. H.

Bart S. S. S.



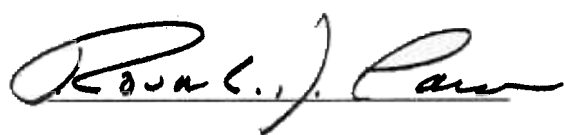
Robert A. Underwood

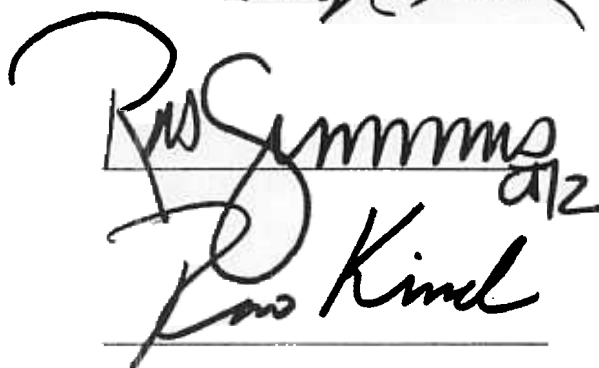


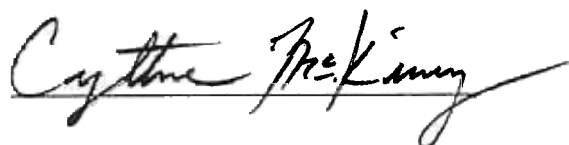
Corine Brown



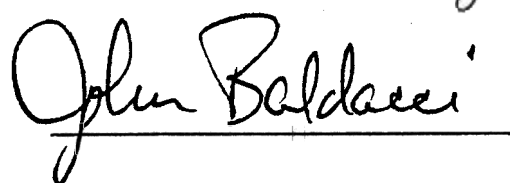




 ²¹²

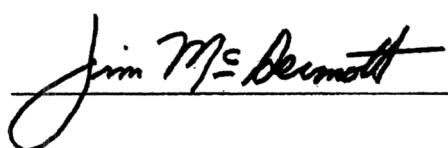


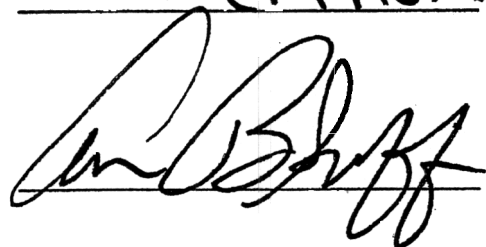














Bill Pasarell Jr.

Walter B. Jones

Gini Falco

Harold Brown

Bob McCollum

Dennis J. Kuenrich

Darlene Hooley

J. Duke

W. C.

Sheila Jackson Lee

Maurice Bracey

Daniel E. Baines

John W. Oliver

Jeff Mancip.

Alvin D. Hastings

Milton Feyer

Robert Wexler

Stephanie Tubbs Jones

Lynn T. Rivers

Stefan

Tom Sawyer

Pat Dwyer

Mary Rankin

Letter to President Bush

Re: NOAA's Advance Notice of Proposed Rulemaking Regarding Changes to Existing Federal Consistency Regulations Adopted Pursuant to Section 307 of the Coastal Zone Management Act

Page 2

Rep. Lois Capps	Rep. Sam Farr
Rep. Mike Thompson	Rep. Nick Rahall
Rep. Maxine Waters	Rep. Jim Saxton
Rep. George Miller	Rep. Louise Slaughter
Rep. Frank Pallone	Rep. Frank LoBiondo
Rep. Tom Allen	Rep. Bob Etheridge
Rep. John Tierney	Rep. Jim Davis

Page 3

Rep. Jane Harman	Rep. Pete Stark
Rep. Mike Honda	Rep. Barbara Lee
Rep. Lloyd Doggett	Rep. Tom Lantos
Rep. Donald Payne	Rep. Patsy Mink
Rep. Joe Baca	Rep. Hilda Solis
Rep. Brad Sherman	Del. Donna Christensen
Rep. Dale Kildee	Rep. Ed Markey
Rep. Ben Cardin	Rep. Lynn Woolsey

Page 4

Rep. Nancy Pelosi	Rep. Grace Napolitano
Rep. Howard Berman	Rep. Lucille Roybal-Allard
Rep. Diane Watson	Rep. Zoe Lofgren
Rep. Susan Davis	Rep. Loretta Sanchez
Rep. Henry Waxman	Rep. Bob Filner
Rep. Anna Eshoo	Rep. Stephen Lynch
De. Anibal Acevedo-Vila	Rep. Gary Ackerman
Rep. Robert Andrews	Rep. Earl Blumenauer

Page 5

Rep. Christopher Shays	Rep. Ellen Tauscher
Rep. Robert Matsui	Rep. Patrick Kennedy
Rep. Carrie Meek	Rep. Xavier Becerra
Rep. Neil Abercrombie	Rep. Tony Hall
Rep. William Delahunt	Rep. David Wu
Rep. Chris Smith	Rep. Stephen Horn
Rep. Jim Langevin	Rep. Juanita Millender-McDonald
Rep. Jim McGovern	Rep. Bart Stupak

Page 6

Rep. Peter DeFazio	Rep. Bernard Sanders
Del. Robert Underwood	Rep. Corrine Brown
Rep. Nita Lowey	Rep. Barney Frank
Rep. Rosa DeLauro	Rep. Rob Simmons
Rep. Cynthia McKinney	Rep. Ron Kind
Rep. John Baldacci	Rep. Rush Holt
Rep. Steve Rothman	Rep. Jim McDermott
Rep. Adam Schiff	Rep. Nick Lampson

Page 7

Rep. Bill Pascrell	Rep. Anthony Weiner
Rep. Walter Jones	Rep. Sheila Jackson-Lee
Del. Eni Faleomavaega	Rep. Maurice Hinchey
Rep. Sherrod Brown	Rep. David Bonior
Rep. Betty McCollum	Rep. John Olver
Rep. Dennis Kucinich	Rep. Felix Grucci
Rep. Darlene Hooley	Rep. Alcee Hastings
Rep. Jay Inslee	Rep. Mike Ferguson

Page 8

Rep. Robert Wexler	Rep. Tom Sawyer
Rep. Stephanie Tubbs-Jones	Rep. Peter Deutsch
Rep. Lynn Rivers	Rep. Marge Roukema
Rep. Steny Hoyer	